

# Making the Law in Missouri

COURTESY OF THE MISSOURI HOUSE OF REPRESENTATIVES

An amusing quote (attributed to Count Mirabeau while watching students observing the proceedings in the French Assembly) about lawmaking states, "Laws are like sausages. You should never see them made."

Although the Count was undoubtedly commenting on the personal styles of the assemblymen, lawmaking often is not smooth and neat. But the legislative process is essentially a well-defined exercise.

The **idea** for a piece of legislation may come from a private citizen, consumer or business group or the legislator himself. The **bill** may be drafted by the legislator or he may request the professional assistance of the legislative staff. A bill may originate in either chamber with the exception of appropriations bills which are always introduced in the House of Representatives. Since the process is the same in both branches of the Legislature, let's assume that our bill is introduced in the House of Representatives. After the sponsoring legislator has filed the bill with the Chief Clerk of the House, it must be **read on introduction** and ordered printed. This is its **first reading**. Once the bill has been printed, it is **second read** and referred to the Speaker of the House for assignment to one of the many committees. The first and second reading of bills might be considered a formality since the Legislature does not take action until the Speaker of the House has assigned the bills to committee.

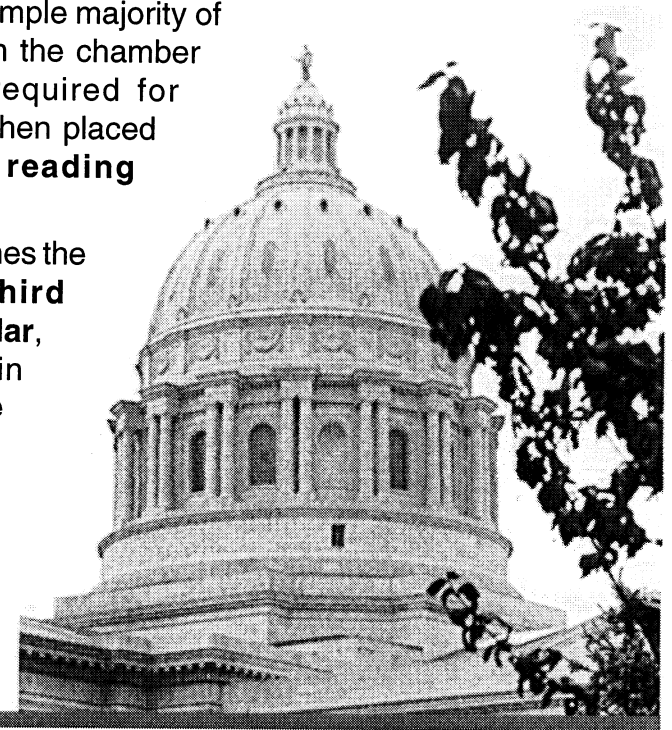
However, once the bill is assigned to committee, the process moves into high gear. A bill seldom comes out of committee exactly the way it was received. After the committee has a public hearing on the bill, it meets in executive session. During this session, amendments can be offered or the committee can completely rewrite the bill and offer a **House Committee**

**Substitute**. After all the changes have been made, the committee votes on the bill. If a majority of those present vote to pass the bill out of committee, it is placed on the **perfection calendar**. The committee may also vote not to pass the bill, and it will **die in committee**.

Once placed on the **perfection calendar**, the bill must wait its turn for debate. At this stage of the process, all House members get a chance to express their views on the bill. During debate, amendments may be offered and voted on or an entirely new bill, a **House Substitute**, can be offered.

Each time a change is offered, the full House must vote on that change. After all debate has ended, the Speaker calls for a vote. If passed, the bill is referred to as **perfected**. (A simple majority of those present in the chamber is all that is required for passage.) It is then placed on the **third reading calendar**.

Once it reaches the top of the **third reading calendar**, the bill is again debated before the House; however, it cannot be amended. Representatives can only



approve or reject the bill as it was passed during the perfection stage. Once all debate has ended, the Speaker calls for a roll call vote. To pass a bill on **third reading**, a constitutional majority is required. (At least 82 of the 163 members of the House of Representatives must vote “yes” to pass a bill on third reading.)

If passed by the House, the bill goes to the Senate where the process is repeated. On its arrival in the Senate, the bill is **first read**. Then it is placed on the **second reading** calendar, read in the chamber and given to the President Pro Tem for assignment to committee.

As in the House, the committee may change the bill or kill it in committee. If the bill is voted out of committee, it is placed on the Senate calendar under **House bills for third reading**. The perfection stage is eliminated in the Senate. However, when the bill is debated by the Senate on third reading, unlike third reading stage in the House, amendments may be offered and the bill may once again be changed. If any changes are made though, the bill as amended by the Senate, must go back to the House for its approval.

If the House rejects any or all of the changes made by the Senate, the bill will most likely end up in a **conference committee** composed of members of both the House and the Senate. If the conference committee reaches a compromise, its report must be adopted by both the House and the Senate before the bill is **Truly Agreed To And Finally Passed**. It is then signed by the Speaker of the House and the President of the Senate and sent to the Governor.

If the Governor signs the bill, it becomes law 90 days after the legislative session ends. However, if it contains an emergency clause, the bill becomes effective the day it is signed by the Governor.

We hope this explanation gives you a better understanding of the legislative process.

This illustration shows the flow of a bill originating in the House of Representatives. If, in the example shown, the bill, as passed by the House, was amended by the Senate, the bill would have to be returned to the House where the amendments offered by the Senate would have to be voted on. Failure by the House to concur with the Senate amendments could send the bill to a conference committee composed of members of both the House and the Senate. If the conference committee reaches a compromise, their report must be adopted by both the House and the Senate before the bill can be “Truly Agreed To And Finally Passed.” Once passed into law, legislation may still be challenged in the courts.

